

EXHIBIT A
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/067,185	Confirmation No. 5257
Applicant	:	Thomas D. Johnson	
Filed	:	February 1, 2002	
TG/A.U.	:	1651	
Examiner	:	Leon B. Lankford	
Docket No.	:	02-0201-JOHN	
Customer No.	:	26357	

DECLARATION UNDER RULE 132

I, THOMAS D. JOHNSON, do hereby declare and say:

My residence address is Buffalo, South Dakota.

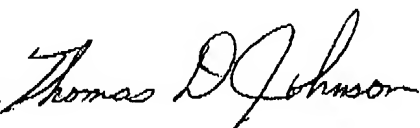
I am the inventor of the subject application.

The specific strain designated as TJ1000 or 1BE has been deposited under the Budapest Treaty with the ATCC and all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent. Enclosed with this declaration is a copy of a letter dated May 9, 2002 from the American Type Culture

Collection (ATCC) indicating that the microorganism designated as TJ1000 or 1BE (ATCC BAA-390) in the claims was in fact deposited with the ATCC with accession number ATCC BAA-390.

Preferred embodiments of the claimed invention comprise combining of a *Trichoderma virens* fungi and a *Bacillus amyloliquefaciens* bacteria and placing this combination on a seed or in the vicinity of the seed or seedling. A routineer would understand that other correct names/designations for the specific isolates/strains involved are: *T. virens* isolate G1-3 and *B. subtilis* var. *amyloliquefaciens* strain TJ 1000. A routineer would also understand that the names *Trichoderma virens* and *Gliocladium virens* are synonymous. To confirm that *Trichoderma virens* G1-3 is a true *Gliocladium*, the ATCC listing of this organism under ATCC Accession No. 58678 confirms its prior classification as a *Gliocladium virens*. The ATCC site lists the claimed isolate (58678) as G13 instead of G1-3.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: 

Thomas D. Johnson

Dated: 3/15/04